

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated September 22, 2005.

The final Office Action has been carefully considered. Claims 4 and 9-12 are pending in the present application with claim 4 being in independent form. A copy of the presently pending claims with an indication of their present status is included herewith for the Examiner's convenience.

Claims 4 and 9-12 have been rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,627,583 to Nakamura et al. in view of U.S. Patent No. 4,831,444 to Kato.

As noted in Applicants' previous response dated April 1, 2005, claim 4 of the present the application relates to an endoscope apparatus wherein "the general purpose video processing circuit and the endoscopic function adjusting circuit being provided in two substrates in a common signal processing apparatus." As presently amended, the claim is further limited to where there are only two substrates for this purpose.

The Examiner contends that Kato discloses a general purpose video processing circuit (Figure 8C, element 30) and the endoscopic function adjusting circuit (element 36) provided in two substrates in a common signal processing apparatus (element 12). Applicants respectfully disagree.

As noted in Applicants' response dated April 1, 2005, Applicants have carefully reviewed the cited reference and cannot find support for the Examiner's contention. Figure 8C of Kato shows a delay circuit (36) as one block of the overall circuit block (12) and a separate box designated as a signal processor and identified by reference numeral 30, however, Kato does not include any mention that these circuits are provided on separate substrates.

In response to Applicants' remarks, the Examiner repeats his assertion that Kato's drawing on Figure 8C clearly shows a general purpose video processing circuit (element 30) and an endoscopic function adjusting circuit (element 36) provided in two substrates in a common signal processing apparatus (element 12) and contends that the Applicants own invention shows the claimed features in substantially the same drawing/layout configuration as Kato.

The present application, however, in contrast to Kato, specifically describes embodiments including the claimed feature. For example, the paragraph beginning on page 8, line 15, of the specification recites that "the CCU 29 includes a DSP board 30 having a digital signal processor (simply referred to as DSP) thereon as a general purpose board with a function for generating a

standard video signal, and a function adjustment/expansion circuit board 31I, connected to the DSP board 30, having a function adjusting (function modification) means or function expansion means compatible with functions specific to the endoscope.”

Similarly at page 25, line 18, the present application indicates that “the CCU 29 includes the common DSP board 30 and the function adjustment/expansion circuit board 31' having a different setting so that the CCU 29 is compatible with the endoscope 2I even with the insertion length thereof different at a low cost involved”.

Thus, the present application specifically describes the claimed features of the present application, while Kato provides no such description. Applicants note that while drawings and pictures can anticipate claims if they clearly show the structure which is claimed, Figure 8C of Kato does not clearly show the claimed features. See MPEP §2125. Further, there is no mention whatsoever in Kato that the elements 30 and 36 are provided on only two separate substrates as required by claim 4 of the present application.

Therefore, it is respectfully submitted that the Office Action has not established a prima facie case of obviousness and to the contrary Applicant has established a clear point of distinction over the prior art.

Accordingly it is respectfully submitted that independent claim 4 and the claims depending therefrom, including claims 9-12, are patentable over the cited art for at least the reasons described above.

In light of the remarks herein it is respectfully submitted that claims 4 and 9-12 are patentable over the cited art and are in condition for allowance.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 19, 2005

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Signature

December 19, 2005

Date of Signature

Respectfully submitted,

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